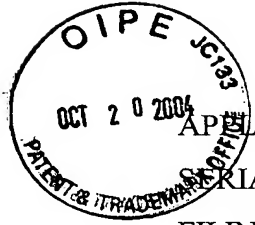


92

IFW/B



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ALLOWED: September 14, 2004 CONFIRMATION NO. 6005

APPLICANTS: Takatomo Nishino, et al. ATTY. DOCKET NO. 09792909-5658
SERIAL NO.: 10/629,419 GROUP ART UNIT: 1742
FILING DATE: July 29, 2003 EXAMINER: N. T. Mai
INVENTION: "NEGATIVE ELECTRODE ACTIVE MATERIAL, METHOD OF
PRODUCING THE SAME, AND NONAQUEOUS ELECTROLYTE
CELL"

RESPONSE TO REASONS FOR ALLOWANCE

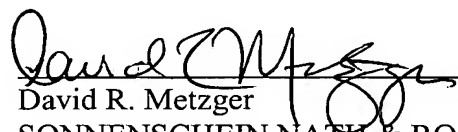
Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

S I R:

This is a disavowal of any acquiescence in any particular claim interpretation that might be attributed to the examiner in the reason for allowance. Claim interpretation is established as a matter of law by the courts during appropriate adversarial proceedings. Any comment made by the examiner is not necessarily shared by applicant(s). Applicant(s) do/does not waive any right to establish any claim interpretation, albeit different or even contrary to the examiner's interpretation, that can be supported by the record in this matter.

Moreover, while applicant(s) believe/believes at least the allowed claims are allowable at least for the reasons of record, there might be other bases for allowability not yet fully explored or established. The reason for allowance sets forth only one view expressed by the examiner.

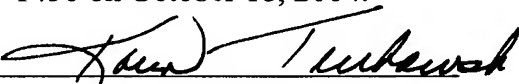
Respectfully submitted,

, Reg. 32,919
David R. Metzger
SONNENSCHN NATH & ROSENTHAL LLP
P.O. Box #061080
Wacker Drive Station - Sears Tower
Chicago, Illinois 60606-1080
(312) 876-8000
Customer No. 26263
Attorneys for Applicant



CERTIFICATE OF MAILING

I hereby certify that this Submission is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 18, 2004.



Karen Turkowski
October 18, 2004
